

**MINUTES OF COUNCIL MEETING
JANUARY 27, 2005
6:30 P.M.**

The Murray City Council met in regular session on Thursday, January 27, 2005, at 6:30 p.m. in the Council Chambers of City Hall, with Mayor Rushing presiding.

Council Members Present: Lance Allison, Robert Billington, Rita Henley, Danny Hudspeth, Pete Lancaster, Doris Parham, Hugh Massey, Dan Miller, Jason Pittman, Pat Scott, Butch Seargent, and Bill Wells.

Council Members Absent: None.

Staff Present: Don Elias, Ken Claud, Thomas Clendenen, Ricky Stewart, J. L. Barnett, Philip Morris, Matt Mattingly, David Roberts, Gail Mullins, Don Rogers, Don Leet, Candace Dowdy, Carol Roberts, Warren Hopkins, and Harla McClure.

Minutes of the council meeting held January 13, 2005, were presented for approval. **Mr. Wells moved, seconded by Mr. Lancaster**, to approve the minutes as written. With no discussion, Mayor Rushing called for a voice vote, which was unanimous in favor of the motion.

Ordinance Number 2005-1366 an Ordinance annexing a 16.0294 acre tract of Fairfield Subdivision located on Robertson Road South and owned by Dale Campbell, D&D, Inc. was presented to the Council on a first reading. **Mr. Billington moved, seconded by Mr. Wells** to approve said Ordinance. With no discussion, Mayor Rushing called for the roll call vote which is recorded as follows:

AYES: Lance Allison, Danny Hudspeth, Hugh Massey, Doris Parham, Pat Scott, Rita Henley, Robert Billington, Butch Seargent, Jason Pittman, Pete Lancaster, Dan Miller, and Bill Wells.

NAYS: None.

Mayor Rushing declared Ordinance Number 2005-1366 approved on the first reading.

Ordinance Number 2005-1367 an Ordinance amending Chapter 92, Section 92.06 and 92.99, of the City of Murray Code of Ordinances was presented to the council on a first reading. **Mr. Pittman moved, seconded by Mr. Scott** to approve said Ordinance.

Mayor Rushing recognized Warren Hopkins, City Attorney, and requested that he provide additional information on the changes that were being made. Mr. Hopkins stated the Code Enforcement Board has been charged with the duties of enforcing the Fire Code, Building Code, Property Maintenance Code, and Animal Control Ordinance. The separate codes and/or ordinances need to be amended to so the appeal process falls in line with the Code Enforcement

Board. Each of the separate codes had their own appeal process; however, the Board will hear those appeals now.

With no further discussion, Mayor Rushing called for the roll call vote as follows:

AYES: Lance Allison, Danny Hudspeth, Hugh Massey, Doris Parham, Pat Scott, Rita Henley, Robert Billington, Butch Seargent, Jason Pittman, Pete Lancaster, Dan Miller, and Bill Wells.

NAYS: None.

Mayor Rushing declared Ordinance Number 2005-1367 approved on the first reading.

Ordinance Number 2005-1368 an Ordinance amending Ordinance 2004-1362, which established the minimum regulations governing the conditions and maintenance of all property, buildings, and structures, was presented the council on a first reading. **Mr. Massey moved, seconded by Ms. Parham** to approve said Ordinance.

Mr. Hopkins stated Ordinance 2004-1362 was amended to remove the language of having someone charged with a misdemeanor and having to appear in court.

With no further discussion, Mayor Rushing called for the roll call vote, which is recorded as follows:

AYES: Lance Allison, Danny Hudspeth, Hugh Massey, Doris Parham, Pat Scott, Rita Henley, Robert Billington, Butch Seargent, Jason Pittman, Pete Lancaster, Dan Miller, and Bill Wells.

NAYS: None.

Mayor Rushing declared Ordinance Number 2005-1368 approved on the first reading.

Ordinance Number 2005-1369 an Ordinance amending Ordinance Number 2004-1361, which established a City of Murray Code Enforcement Board, was presented to the council on a first reading. **Mr. Hudspeth moved, seconded by Ms. Henley** to approve said Ordinance.

Mr. Hopkins stated the Ordinance was amended to include the Animal Control Ordinance and any other Ordinances which will be appealed to the Code Enforcement Board.

With no further discussion, Mayor Rushing called for the roll call vote, which is recorded as follows:

AYES: Lance Allison, Danny Hudspeth, Hugh Massey, Doris Parham, Pat Scott, Rita Henley, Robert Billington, Butch Seargent, Jason Pittman, Pete Lancaster, Dan Miller, and Bill Wells.

NAYS: None.

Mayor Rushing declared Ordinance Number 2005-1369 approved on the first reading.

Ordinance Number 2005-1370 an Ordinance amending Chapter 150, of the City of Murray Code of Ordinances was presented to the Council on a first reading. **Mr. Pittman moved, seconded by Mr. Scott** to approve said Ordinance.

Mr. Hopkins stated Chapter 150 was being amended to reflect current practice. He stated that anyone moving a building through the streets had to meet with Dickie Walls, City Fire Marshal, to complete the necessary paperwork to move a building or structure.

Mr. Hopkins further stated that an appeal process was created for this Chapter (Building Code) because there was no process in the original Ordinance.

With no further discussion, Mayor Rushing called for the roll call vote, which is recorded as follows:

AYES: Lance Allison, Danny Hudspeth, Hugh Massey, Doris Parham, Pat Scott, Rita Henley, Robert Billington, Butch Sargent, Jason Pittman, Pete Lancaster, Dan Miller, and Bill Wells.

NAYS: None.

Mayor Rushing declared Ordinance Number 2005-1370 approved on the first reading.

Recommendation from the Murray Planning Commission authorizing the City Attorney to draft an ordinance zoning as R-2 (single family residential) a 16.0294 acre tract of Fairfield Subdivision located on Robertson Road South and owned by Dale Campbell, D&D, Inc. was presented to the council for approval. **Mr. Billington moved, seconded by Dr. Miller** to authorize the City Attorney to draft said Ordinance.

David Roberts, Director of Planning and Engineering, stated that the property to the North is zoned R-4 and is owned by Kenneth Owen; and the property to the east is residential.

Mr. Roberts stated that it was recommended to be zoned R-2 because it is in compliance with our urban service area for the comprehensive plan.

With no further discussion, Mayor Rushing called for the voice vote, which was unanimous in favor of the motion.

Mayor Rushing recognized Don Leet, Chief Financial Officer, and requested that he provide a six month update on the budget. Mr. Leet stated he provided the council members with budget comparisons. Mr. Leet stated the General Fund revenues are up over this time last

year. He stated that there are about four or five operations that have increased and have positive numbers for the first six months. He stated property taxes are the largest single category of revenue for the City and it has increased \$150,000 over a year ago. This year, however, we are 30 days ahead of collections. The other revenues that have increased are business license, city stickers, insurance tax, building permits, and sign permits.

Mr. Leet stated the real growth the City has seen in the last few years has been in property taxes and insurance tax.

Mr. Leet stated that there is only one-third (1/3) of the budget left to collect; however, you collect the bulk of your revenues the first half of the year.

Mr. Leet stated that the growth, after considering timing differences, is \$220,000 over a year ago.

The council is also provided with a summary of the expenditures for the General Fund Departments. Most of the departments have 50% remaining in their budget.

Mayor Rushing recognized Don Rogers, Sanitation Supervisor, and asked him to provide a reminder to City residents regarding their trash receptacles. Mr. Rogers thanked the residents for being patient with the crew when the snow storm hit, which put them behind schedule.

He wanted to remind residents to please put curbside containers back at their residence after trash day. He also requested that citizens contact the sanitation department if they have any concerns.

With no further business to come before the council, the meeting adjourned at 7:15 p.m.

H. Thomas Rushing, Mayor

Attest:

Harla McClure
City Clerk